
HOUSE BILL 1063

State of Washington

60th Legislature

2007 Regular Session

By Representative Hudgins

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Committee on Commerce & Labor.

1 AN ACT Relating to defining private security guard; and amending
2 RCW 18.170.010 and 18.170.020.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 18.170.010 and 2004 c 50 s 1 are each amended to read
5 as follows:

6 The definitions in this section apply throughout this chapter
7 unless the context clearly requires otherwise.

8 (1) "Armed private security guard" means a private security guard
9 who has a current firearms certificate issued by the commission and is
10 licensed as an armed private security guard under this chapter.

11 (2) "Armored vehicle guard" means a person who transports in an
12 armored vehicle under armed guard, from one place to another place,
13 valuables, jewelry, currency, documents, or any other item that
14 requires secure delivery.

15 (3) "Burglar alarm response runner" means a person employed by a
16 private security company to respond to burglar alarm system signals.

17 (4) "Burglar alarm system" means a device or an assembly of
18 equipment and devices used to detect or signal unauthorized intrusion,

1 movement, or exit at a protected premises, other than in a vehicle, to
2 which police or private security guards are expected to respond.

3 (5) "Chief law enforcement officer" means the elected or appointed
4 police administrator of a municipal, county, or state police or
5 sheriff's department that has full law enforcement powers in its
6 jurisdiction.

7 (6) "Classroom instruction" means instruction that takes place in
8 a setting where individuals receiving training are assembled together
9 and learn through lectures, study papers, class discussion, textbook
10 study, or other means of organized formal education techniques, such as
11 video, closed circuit, or other forms of electronic means, and as
12 distinguished from on-the-job education or training.

13 (7) "Commission" means the criminal justice training commission
14 established in chapter 43.101 RCW.

15 (8) "Department" means the department of licensing.

16 (9) "Director" means the director of the department of licensing.

17 (10) "Employer" includes any individual, firm, corporation,
18 partnership, association, company, society, manager, contractor,
19 subcontractor, bureau, agency, service, office, or an agent of any of
20 the foregoing that employs or seeks to enter into an arrangement to
21 employ any person as a private security guard.

22 (11) "Firearms certificate" means the certificate issued by the
23 commission.

24 (12) "Licensee" means a person granted a license required by this
25 chapter.

26 (13) "Person" includes any individual, firm, corporation,
27 partnership, association, company, society, manager, contractor,
28 subcontractor, bureau, agency, service, office, or an agent or employee
29 of any of the foregoing.

30 (14) "Postassignment or on-the-job training" means training that
31 occurs in either an assisted field environment or in a classroom
32 instruction setting, or both.

33 (15) "Preassignment training" means the classroom training
34 completed prior to being assigned to work independently.

35 (16) "Principal corporate officer" means the president, vice-
36 president, treasurer, secretary, comptroller, or any other person who
37 performs the same functions for the corporation as performed by these
38 officers.

1 (17) "Private security company" means a person or entity licensed
2 under this chapter and engaged in the business of providing the
3 services of private security guards on a contractual basis.

4 (18) "Private security guard" means an individual who is licensed
5 under this chapter (~~(and principally employed as or)~~), whose principal
6 duties include the protection of people or property, and who may be
7 typically, but not exclusively, referred to as one of the following:

8 (a) Security officer or guard;

9 (b) Patrol or merchant patrol service officer or guard;

10 (c) Armed escort or bodyguard;

11 (d) Armored vehicle guard;

12 (e) Burglar alarm response runner; or

13 (f) Crowd control officer or guard.

14 (19) "Protection of people or property" includes the following
15 functions:

16 (a) Protection of individuals or property, including information
17 and other assets, from harm;

18 (b) Prevention of the theft, misappropriation, or concealment of
19 goods, money, valuable documents, information, or other assets;

20 (c) Prevention, observation, or detection of unauthorized activity
21 on private property, including but not limited to arson, vandalism, and
22 unlawful intrusion, entry, or trespass; and

23 (d) Control, regulation, or direction of the flow or movement of
24 the public, whether by vehicle or otherwise, on the premises of the
25 person that entered into the contract for security services, and only
26 to the extent and for the time directly and specifically required to
27 ensure the protection of people or property.

28 (20) "Qualifying agent" means an officer or manager of a
29 corporation who meets the requirements set forth in this chapter for
30 obtaining a license to own or operate a private security company.

31 (~~(+20+)~~) (21) "Sworn peace officer" means a person who is an
32 employee of the federal government, the state, a political subdivision,
33 agency, or department branch of a municipality, or other unit of local
34 government, and has law enforcement powers.

35 **Sec. 2.** RCW 18.170.020 and 2006 c 173 s 1 are each amended to read
36 as follows:

37 The requirements of this chapter do not apply to:

1 (1) A person who is employed exclusively or regularly by one
2 employer and performs the functions of a private security guard solely
3 in connection with the affairs of that employer, if the employer is not
4 a private security company;

5 (2) A sworn peace officer while engaged in the performance of the
6 officer's official duties;

7 (3) A sworn peace officer while employed by any person to engage in
8 off-duty employment as a private security guard, but only if the
9 employment is approved by the chief law enforcement officer of the
10 jurisdiction where the employment takes place and the sworn peace
11 officer does not employ, contract with, or broker for profit other
12 persons to assist him or her in performing the duties related to his or
13 her private employer; or

14 (4) Guest services or crowd management employees who do not perform
15 the duties of a private security guard. For purposes of this
16 subsection, "quest services or crowd management employees" include
17 ushers, ticket takers, parking lot attendants, and other persons
18 employed to perform similar job duties as identified by department
19 rules adopted in consultation with interested parties.

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